

UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: LUCINDA KAY FREEMAN	:	CHAPTER 13
Debtor	:	
	:	
JACK N. ZAHAROPOULOS	:	
STANDING CHAPTER 13 TRUSTEE	:	
Movant	:	
	:	
vs.	:	
	:	
LUCINDA KAY FREEMAN	:	
Respondent	:	CASE NO. 1-22-bk-02244

TRUSTEE'S OBJECTION TO CHAPTER 13 PLAN

AND NOW, this 12th day of January, 2023, comes Jack N. Zaharopoulos, Standing Chapter 13 Trustee, and objects to the confirmation of the above-referenced debtor's plan for the following reason(s):

1. Debtor's plan violates 11 U.S.C. §§ 1322(a)(1) and 1325(b) in that the debtor has not submitted all or such portion of the disposable income to the Trustee as required. More specifically, the debtor disclosed at the Section 341 Meeting that she earns \$6,846.00 a month.

2 Debtor's plan violates 11 U.S.C. § 1325(a)(4) in that the value of property to be distributed under the plan on account of each allowed unsecured claim is less than the amount that would be paid on such claim if the estate were liquidated under Chapter 7. More specifically, the debtor has excess non-exempt equity in the following:

a. Residential real estate. The Trustee has requested proof of the value of the debtor's home as stated in her schedules.

3. Schedule I lacks description. Debtor has a new employer (Shook Home and Rehab.)

4. The Trustee avers that debtor's plan is not feasible based upon the following:

a. The plan is underfunded relative to claims to be paid – estimated mortgage arrears in plan.

5. Trustee avers that debtor's plan cannot be administered due to the lack of the following:

a. The debtor has not provided to the Trustee copies of 2021 Federal Income Tax returns as required by § 521(e)(2)(A).

WHEREFORE, Trustee alleges and avers that debtor's plan is nonconfirmable and therefore Trustee prays that this Honorable Court will:

- a. Deny confirmation of debtor(s) plan.
- b. Dismiss or convert debtor(s) case.
- c. Provide such other relief as is equitable and just.

Respectfully submitted:

/s/Jack N. Zaharopoulos
Standing Chapter 13 Trustee
8125 Adams Drive, Suite A
Hummelstown, PA 17036
(717) 566-6097

CERTIFICATE OF SERVICE

AND NOW, this 23rd day of January, 2023, I hereby certify that I have served the within Objection by electronically notifying parties or by depositing a true and correct copy of the same in the United States Mail at Hummelstown, Pennsylvania, postage prepaid, first class mail, addressed to the following:

Dorothy Mott, Esquire
125 State Street
Harrisburg, PA 17101

/s/Deborah A. Behney
Office of Jack N. Zaharopoulos
Standing Chapter 13 Trustee